

RESOLUTION 1624

A RESOLUTION APPROVING A "SOCIAL MEDIA POLICY" SECTION IN THE CITY OF WEST BRANCH, IOWA EMPLOYEE HANDBOOK

WHEREAS, the City Council, of the City of West Branch, Iowa adopted an Employee Handbook on September 8, 2009, and amended same handbook on October 19, 2009, February 1, 2010, October 4, 2010, December 6, 2010, February 21, 2011, April 4, 2011, February 21, 2012, December 3, 2012, January 21, 2014, April 7, 2014, and July 18, 2016; and

WHEREAS, social media services are an increasingly vital source of information and information for residents of the West Branch community; and

WHEREAS, the City Council of the City of West Branch wishes to employ social media as an additional methodology to promote city events and deliver news and information to the community; and

WHEREAS, the City Council would like to provide a policy for the use of social media to better inform, guide, and protect employees in its use

NOW, THEREFORE, BE IT RESOLVED that the City Council of West Branch, Iowa does hereby approve and adopt the City of West Branch Personnel Handbook dated May 2017 revised by adding a **SOCIAL MEDIA POLICY** section by adding the following text after the **VEHICLE USE** subsection of the "**EMPLOYMENT**" section of the Employee Handbook:

SOCIAL MEDIA POLICY

DEFINITIONS:

- **Posting:** any writing, image, video, download, audio file, and hyperlink to other websites, or media which is downloaded, referenced, inserted, or placed upon any City of West Branch social media site.
- **Social media or site:** includes, but is not limited to, electronic communication through which users create online communities to share information, ideas, personal messages, photographs, videos, and other content. Examples of the types of social networking sites covered by this policy include, but are not limited to: blogs, LinkedIn, Facebook, Google+, Twitter, YouTube, Instagram, Pinterest, Snapchat, YikYak, photo and video sharing sites, micro-blogging, podcasts, wikis, news sites, as well as viewable comments posted on Internet sites. This policy is not meant to address only certain forms of social media, but rather social media in general as advances in technology will occur and new tools will emerge that are also expected to be used in accordance with this policy.

All City employees are expected to use City computers, tablets, mobile phones, computer applications and programs, internet resources and network communications in a responsible, professional, ethical, and lawful manner always. This includes use of all social media utilizing these devices. Employees should be aware that all content, including social media, on these devices is not private and the employer could access any information saved to, accessed by, created on, transmitted on, downloaded to, exchanged over, or discussed on these devices, including social media, at any time. Consequently, employees have no reasonable expectation of privacy when engaging in these activities and employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone.

In addition, employees are expected to follow all other City policies with regard to their use of social media. Any employee who violates this policy may be subject to disciplinary action up to and including termination.

PROCEDURES:

The procedures for using Social Media are presented in two categories: (1) City sponsored sites used to provide citizens with official, accurate, and unbiased information, and (2) procedures governing employees' conduct while on social media sites.

1. City-Sponsored Sites:

- A. The City's social media are limited public forums, with the exception of its YouTube page. The sites are not an editorial page or blog for visitors and they are subject to the commenting restrictions listed below in this policy. The City does not intend by its social media sites to create or allow the creation of an unlimited public forum for the public to post comments of any kind.
- B. The City's YouTube page is administered to provide coverage of Council, Board, and Commission Meetings to citizens. It is provided as an informational resource, not a place or forum for anyone, including the City, to comment. The City's YouTube page has never been opened up to allow for public comments on the YouTube page, and instead citizens are encouraged to use the Council Meetings to provide public comment.
- C. The establishment and use by any City department of City social media sites are subject to approval by the City Administrator. At the time such site is approved, the City Administrator must determine who will be responsible for developing this site including establishing an administrative profile, designating who will have authority for speaking on behalf of the City, and who will keep the site up to date, including answering questions in a timely manner.
- D. City social media accounts will only become affiliated with (i.e., "like," "follow," etc.) another social media page if it is related to official City business, services, and events. The City Administrator shall have the final determination if another social media page is related to official City business, services, and events.
- E. Wherever possible, City social media sites should link back to the official City website for forms, documents, online services, and other information necessary to conduct business with the City.
- F. The City Administrator or his/her designee will monitor the City's social media accounts to ensure that the social media cites further the City's policies, interests, and

goals.

Comments containing any of the following inappropriate forms of content will not be allowed on the City's social media sites and are subject to removal by the City:

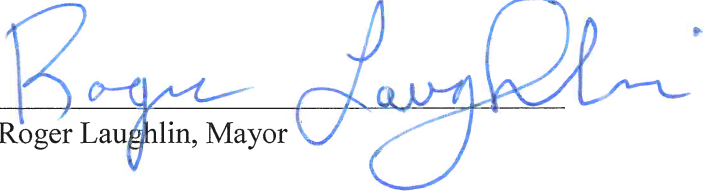
- a. Comments unrelated to the original topic;
 - b. Comments that are obscene, vulgar, or profane;
 - c. Content that promotes, fosters or perpetuates discrimination of any protected class under local, state, or federal law;
 - d. Defamatory or personal attacks;
 - e. Threats to any person or organization;
 - f. Comments in support of, or in opposition to, any political campaigns or ballot measures;
 - g. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
 - h. Conduct in violation of any federal, state or local law;
 - i. Encouragement of illegal activity;
 - j. Information that may tend to compromise the safety or security of the public or public systems; or
 - k. Content that violates a legal ownership interest, such as a copyright.
 - l. Comments that are threatening in nature will be forwarded as appropriate to law enforcement.
- G. The City reserves the right to restrict or remove any content that is deemed in violation of City policy, including this policy, or applicable law. Any content removed based on these guidelines must be retained by the City Administrator or his/her designee for a minimum of 90 days, including the time, date, and identity of the poster, when available.
- H. Comments posted by the public on the City's social media site express the opinions of the commentators or posters. Such comments do not necessarily reflect the opinions or policies of the City, and the publication of such comments does not imply endorsement or agreement by the City.
- I. The City is not responsible for and has no control over the accuracy, subject matter, content, information or graphics when viewing links attached to its social media sites. The City also does not endorse any organizations sponsoring linked websites or the views or products they offer.
- J. The City is not liable for the content of postings by individuals employed by the City or third parties not affiliated with the City on any City social media sites.
- K. The City reserves the right to deny access to its social media site for any individual who violates the City's policies or the law, at any time and without prior notice. The City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable local, state or federal law.
- L. The City's website at <http://www.westbranchiowa.org/> will remain the City's primary and predominant Internet presence.
- M. Employees representing the City via social media accounts must conduct themselves at all times as representatives of the City and must identify themselves as representatives of the City when doing so. Employees that fail to identify themselves and/or conduct themselves in an appropriate manner shall be subject to discipline up to and including dismissal.

2. Employees' Personal Use of Social Media:

- A. Employees should limit their use of social media during working hours or on equipment provide by the City unless such use is work-related or authorized by a supervisor. Employees shall not use City-provided e-mail addresses to register on social networks, blogs or other websites for personal use. Employees should note that this provision is not meant to prohibit employees from engaging in concerted protected activity where prohibited by law.
- B. Employees may not, unless expressly authorized in writing, make statements on behalf of the City on the employee's social media accounts. If an employee wishes to make a work-related statement on his/her social media, the employee should consider including a disclaimer indicating that the opinions are the employee's personal opinions not the opinion of the City.
- C. Employees shall not use City-provided email accounts to sign up for or access social media unless expressly authorized to do so by the employee's supervisor.
- D. Employees shall have no expectation of privacy if they access their social media using City e-mail, City networks, City servers, City devices, and/or any other City resources when accessing social media.
- E. Employees shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment with the City unless expressly authorized. In addition, employees are expected to respect the privacy of their co-workers and citizens and must take steps to protect the privacy and confidentiality of others.
- F. Employees are not to use the City's intellectual property such as trademarks, logos, letterhead, *etc.* when posting on social media or in any other actions, unless expressly authorized in writing. This includes posting pictures of yourself or others wearing City uniforms or other apparel bearing the City's name or logo.
- G. Employees are not allowed to use photographs or other depictions related to City business, including as discussed in the paragraph above, unless expressly authorized in writing. This includes, but is not limited to posting, transmitting, and/or disseminating any photographs or videos of City training, activities, or work-related assignments.
- H. Employees shall not post material that is abusive, obscene, libelous, threatening, profane or otherwise inappropriate about the City, its employees, or citizens.
- I. Employees shall not post material that may be construed to be discriminatory, harassing, or retaliatory under local, state, or federal law about the City, its employees, or citizens.
- J. Nothing in this policy is intended to infringe upon any employee's legitimate First Amendment rights and employees are free to express themselves as private citizens on social media sites. The intent of this policy is to prevent employees from engaging in unlawful speech, improperly impairing the working relationships of this City, impeding the performance of City duties and/or negatively affecting the public perception of the City. As public employees, employees are cautioned that speech made pursuant to an employee's official duties is not protected speech under the First Amendment and may form the basis for discipline.

The City of West Branch's social media sites may be considered public records under Iowa Public Records laws. If requested, the City may be compelled to disclose public records to third party requestors. The City in its sole discretion shall determine whether postings on its social media websites are public records and whether exemptions from disclosure apply.

Passed and approved this 5th day of June, 2017.



Roger Laughlin, Mayor

Attest:



Leslie Brick, Deputy City Clerk